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**Permanent Forum on Indigenous Issues**
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**Ongoing priorities and themes**

## Report of the International Technical Workshop on Indigenous Traditional Knowledge

*Summary*

The International Technical Workshop on Indigenous Traditional Knowledge was held in Panama City from 21 to 23 September 2005, pursuant to a recommendation of the Permanent Forum on Indigenous Issues at its fourth session. The Forum called for the convening of such a workshop, in collaboration with United Nations agencies dealing with this issue and with the participation of indigenous experts, to promote a collaborative, complementary and holistic approach to traditional knowledge in order to enhance better understanding of indigenous concerns and their possible solution.

The workshop was attended by 28 experts from indigenous organizations, the United Nations system and other intergovernmental organizations.

In its conclusions and recommendations, the workshop identified indigenous perspectives and experiences with indigenous traditional knowledge issues, provided a better understanding of the various programmes of the United Nations system and other intergovernmental organizations relating to indigenous traditional knowledge and formulated certain recommendations for the Forum's consideration. Recognizing the multiplicity of policy areas in which indigenous traditional knowledge issues arise and the range of priorities, objectives and strategies relating to indigenous traditional knowledge of indigenous peoples, participants in the workshop identified a number of recommendations addressed to the United Nations system and other intergovernmental organizations, Governments, indigenous peoples and academia, as well as some recommendations addressed to the Forum itself.

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# I. Introduction

1. The preservation, promotion and protection of indigenous traditional knowledge has been an issue of concern to the Permanent Forum on Indigenous Issues since its first session in 2002, and the Forum has issued several recommendations on this subject. At least 11 intergovernmental organizations and United Nations agencies carry out programmes, activities and processes addressing, in one way or another, issues related to indigenous traditional knowledge. At its fourth session, in May 2005, the Forum recommended that the Inter-agency Support Group on Indigenous Issues convene a technical workshop on indigenous traditional knowledge, in collaboration with United Nations agencies dealing with this issue, with the participation of indigenous experts, with a view to promoting a collaborative, complementary and holistic approach to traditional knowledge in order to enhance better understanding of indigenous concerns and their possible solution and requests the workshop to submit its report to the fifth session of the Forum.[1] The workshop was convened by the Inter-Agency Support Group on Indigenous Issues, organized by the secretariat of the Forum and hosted by the United Nations Children's Fund (UNICEF) regional office for Latin America and the Caribbean.

# II. Organization of work

## A. Attendance

2. The following members of the Permanent Forum attended the workshop: Ms. Victoria Tauli-Corpuz, as Chairperson and indigenous expert from the Tebtebba Foundation, and Mr. Eduardo Aguiar de Almeida.

3. The workshop was attended by experts from the following entities of the United Nations system and other intergovernmental organizations: the secretariat of the Convention on Biological Diversity, the International Fund for Agricultural Development (IFAD), the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations Environment Programme (UNEP), the United Nations Educational, Scientific and Cultural Organization (UNESCO), UNICEF, the World Health Organization (WHO) and the World Intellectual Property Organization (WIPO). The Chairperson and Rapporteur of the United Nations Working Group on Indigenous Populations also attended the workshop.

4. The workshop was also attended by a total of 28 persons, including 13 indigenous experts (the attendance list is contained in annex III to the present report).

## B. Documentation

5. The participants had before them a draft agenda, a draft programme of work and documents prepared by participating experts (documentation made available for the workshop is listed in annex II). Documentation is also available on the website of the secretariat of the Permanent Forum on Indigenous Issues (http://www.un.org/esa/socdev/unpfii).

## C. Opening of the meeting

6. At the opening of the workshop, remarks were made by the representative of UNICEF in the Bolivarian Republic of Venezuela, Ms. Anna Lucia D'Emilio, on behalf of the Regional Director for UNICEF in Latin America and the Caribbean, Mr. Nils Kastberg, and by Ms. Elsa Stamatopoulou, Chief, secretariat of the Permanent Forum on Indigenous Issues, Division for Social Policy and Development, Department of Economic and Social Affairs. Ms. Stamatopoulou thanked a number of organizations, funds, agencies and Governments that had funded the participation of indigenous experts in the workshop, namely IFAD, UNESCO and WIPO, as well as the Governments of Canada, New Zealand and Norway.

## D. Election of officers

7. Ms. Vicky Tauli-Corpuz, Chairperson of the Permanent Forum, was elected Chair of the workshop. In her opening remarks, Ms. Tauli-Corpuz recognized and honoured the indigenous peoples of Panama and thanked them for having agreed to hold the workshop in their traditional territory. Mr. Wend Wendland of the secretariat of WIPO was elected Rapporteur.

## E. Adoption of the agenda and programme of work

8. The workshop adopted its agenda on the basis of the draft agenda submitted by the Secretariat (see annex I).

9. The workshop was conducted in plenary meetings. The programme of work, and the names of the indigenous experts who made presentations are presented in annex I.

## F. Adoption of the conclusions and recommendations

10. On 23 September, the workshop adopted by consensus conclusions and recommendations contained in section IV below.

## G. Closure of the workshop

11. The workshop was closed after the adoption of the conclusions and recommendations in the final plenary meeting on 23 September.

# III. Observations

### Goals and expectations

12. The objectives of the workshop were to: identify indigenous perspectives and experiences with indigenous traditional knowledge issues at the local, national and international levels; gain a better understanding of the various policies, methodologies, programmes and activities of the United Nations system and other

intergovernmental organizations and agencies relating to indigenous traditional knowledge; and formulate recommendations for the Permanent Forum aimed at promoting collaborative, complementary and holistic approaches to indigenous traditional knowledge in order to enhance better understanding of indigenous concerns and their possible solution. Participants all looked forward to a rich and frank exchange of experiences and perspectives with a view to suggesting creative, relevant and practicable recommendations for the Forum. It was also noted that the recently adopted 2005 World Summit Outcome of the General Assembly (resolution 60/1), included references to the contributions of indigenous and local communities.

**Overview of indigenous experiences and perspectives**[2]

13. The presentations by indigenous experts demonstrated that indigenous traditional knowledge, which refers to the complex bodies and systems of knowledge, know-how, practices and cultural expressions that have been and are maintained, used and developed by local and indigenous communities, not only sustains the daily life of these communities, but is also a key element in maintaining their identities and building their self-determination. The indigenous traditional knowledge of indigenous communities, which reflects their holistic worldview, also contributes to the world's cultural and biological diversity and is a source of cultural and economic wealth for the communities and for humanity as a whole.

14. The preservation, promotion and protection of indigenous traditional knowledge are subject to a wide range of threats, including:

- Cultural assimilation, which may lead to lack of respect by others
- Reluctance by some young people to learn and maintain indigenous traditional knowledge
- Loss of links to traditional territories
- Destruction of ecosystems
- Movement of populations, both into and out of traditional territories
- Misappropriation and misuse
- Restrictions on nomadic ways of life
- War and conflict
- Discriminatory governmental policies
- Poverty
- Lack of coherent and informed national governmental policies towards indigenous peoples, and indigenous traditional knowledge in particular
- Inadequate health care for indigenous peoples
- Climate change
- Urbanization
- Lack of recognition of indigenous traditional customs and institutions
- Loss of indigenous languages
- Lack of respect for communities living in voluntary isolation

- Death of community elders
- Commercialization of indigenous traditional knowledge
- Indigenous traditional knowledge systems not being recognized and valued as "scientific" and being made subject to "validation" by modern scientific methods and approaches and/or reductionism.

15. The indigenous experts provided many examples of these threats. For instance, the destruction of forests in Central Africa by logging companies is destroying the livelihoods of indigenous communities. In Costa Rica, lack of appropriate planning in relation to the restoration of ancestral lands has provoked great difficulties for indigenous communities in relation to their indigenous traditional knowledge. An indigenous expert from Panama reported on cases in which genetic resources and associated indigenous traditional knowledge had been used by third parties without the consent of indigenous communities, which had not received any benefits from such exploitation. In Nepal, global warming is leading to the melting of ice caps, increasing water-levels, which, in turn, is threatening the ecologies of entire communities. An indigenous expert from Canada reported on a lack of attention to the promotion of and protection of indigenous traditional knowledge in biodiversity-related legislation dealing with species at risk.

16. Some presentations demonstrated a resurgent interest in and influence of indigenous traditional knowledge and cultural traditions among indigenous as well as non-indigenous societies and cultures. In Aotearoa, New Zealand, for example, Maori cultural traditions are becoming popular in society at large and have even crossed over into international communities and markets. This is the result of a renaissance in Maori cultural pride and competence. Use of some Maori cultural traditions by third parties has been permitted on the basis of informed consent, direct Maori participation, culturally appropriate use and agreement that no exclusive property rights will be sought by third parties. The Maori have also registered a certification trademark to be used in relation to authentic Maori creative arts, which has caused an expansion of Maori cultural industry. Trademarks legislation in Aotearoa has also been amended to prevent the registration of marks that would be culturally offensive to Maori. In another presentation, reflecting a rich diversity of views on issues such as heritage preservation, trade and development, an indigenous expert from the Saami people in Sweden reported that none of the craftspeople in his community wanted to use a certification trade mark. An indigenous expert from Papua New Guinea argued that culture and indigenous traditional knowledge were heritage.

17. Regarding the misappropriation and misuse of indigenous traditional knowledge, numerous initiatives are under way aimed at the development by indigenous communities of sui generis legal systems to meet specific needs not met by existing intellectual property and other laws. Recent work in this area has, for example, adopted the term "collective biocultural heritage" to describe the protected subject matter. Other experts reported on use by their communities of intellectual property tools to protect aspects of indigenous traditional knowledge, particularly to provide "defensive" protection against unauthorized or inappropriate use by others. Several indigenous experts are actively grappling with the legal and cultural policy questions raised by efforts to protect indigenous traditional knowledge against misappropriation and misuse through sui generis measures and are making a valuable contribution to standard-setting processes dealing with these complex

issues, such as those being undertaken by the Working Group on Indigenous Populations, WIPO and the secretariat of the Convention on Biological Diversity. Information was also provided on the development by Pacific island countries of a sui generis Regional Framework for the Protection of Traditional Knowledge and Expressions of Culture, which Papua New Guinea and other countries in the region are exploring with a view to its eventual adoption. Reference was also made to the development of a model law on traditional ecological knowledge and biological resources for Pacific island countries. Information was presented on a sui generis law in Panama, enacted in 2000 at the initiative of indigenous authorities and experts of the country, which provides collective intellectual property-type rights in respect of indigenous creative designs and crafts.

18. The presentations of the indigenous experts also brought to light a range of valuable practical activities being undertaken by communities at the local and community levels that pragmatically address needs identified by the communities themselves. These are participatory, capacity-building, multidisciplinary and intercultural in character. As an example, an indigenous expert provided information on a project undertaken within the Subanen community in the south of the Philippines, aimed at documenting ethno-botanical indigenous traditional knowledge. Modern encryption tools, layered rights of access and copyright of the documentation itself was used by the community concerned to protect its interests. This project also responded to the need for enhanced dialogue between traditional and modern science. In some cases, these kinds of projects are undertaken with the assistance or support of intergovernmental organizations, funds or agencies.

19. Indigenous communities are also involved in developing indigenous traditional knowledge policies. Some First Nations on Canada are involved in developing a framework policy that would establish the First Nations as the principal authority over the use and management of their indigenous traditional knowledge. This work has both contributed to and learned lessons from the policy development taking place in the secretariat of the Convention on Biological Diversity and WIPO.

20. The central role of education in the promotion and transmission of indigenous traditional knowledge and in advocacy related to it, was also addressed by the experts. This is key because of the often total ignorance of indigenous traditional knowledge within non-indigenous communities. There are also practical difficulties. For example, it was reported that there is a 98 per cent illiteracy rate within indigenous communities in Central Africa in respect of the dominant languages of the countries concerned. This and a general lack of education services for indigenous peoples prevent them from interacting effectively with the dominant society. An indigenous expert from the Russian Federation expressed concerns about the lack of indigenous traditional knowledge in current education curricula, and suggested a need for guidelines for Member States on the protection and promotion of indigenous traditional knowledge in education, including traditional pedagogies. The expert also reported problems encountered with the translation of certain key United Nations texts into Russian. In regard to indigenous traditional knowledge in general and its transmission in particular, the key role of indigenous women was stressed by many participants.

**Policies, programmes and activities of the United Nations system and other intergovernmental organizations and agencies**[2]

21. Presentations by the United Nations system and other intergovernmental organizations and agencies provided information on a wide range of activities and programmes being undertaken by them at the international, regional, national and community levels. These include standard-setting as well as capacity-strengthening activities.

22. The secretariat of the Convention on Biological Diversity presented information on its programmes, especially those relating to indigenous traditional knowledge as referred to in article 8 (j) of the Convention on Biological Diversity (1992). The main elements of the work programme include: promotion of the Akwe: Kon Guidelines concerning sacred sites, lands and waters; ongoing development of a proposed international regime on access and benefit-sharing; preparation of a composite report on status and trends regarding the biodiversity-related knowledge, innovations and practices of indigenous and local communities with a view to developing a plan of action to promote and protect indigenous traditional knowledge; development of sui generis protection systems based on customary laws; capacity-building workshops; and identification of elements of an ethical code to ensure respect for the biodiversity-related knowledge, innovations and practices of indigenous and local communities.

23. A presentation by the UNESCO secretariat provided information on recent normative cultural instruments developed under the auspices of UNESCO, namely the Convention for the Safeguarding of the Intangible Cultural Heritage, 2003 and a draft Convention on the Protection and Promotion of the Diversity of Cultural Expressions, 2005, both of which refer to indigenous traditional knowledge. The Local and Indigenous Knowledge Systems project (LINKS) aims at fostering dialogue and understanding between indigenous knowledge holders and scientists, to empower local communities in biodiversity conservation. To enhance dialogue with holders of traditional knowledge, scientists are asked to acknowledge that all knowledge systems have historical and cultural foundations and that scientists possess their own specific world views. The LINKS project also reinforces the intergenerational transmission of indigenous traditional knowledge, including through the development of pedagogical materials and methods based on traditional knowledge.

24. The secretariat of WIPO reported on the methodologies employed by the organization aimed at enhancing the effective involvement of indigenous peoples in its work programme on indigenous traditional knowledge. The programme has evolved from fact-finding and needs-assessment to a more detailed analysis of objectives, general guiding principles and specific substantive provisions for the legal protection of indigenous traditional knowledge. Draft sui generis instruments are under active discussion within WIPO. The main focus of WIPO's work is the protection of the creativity, reputation and distinctiveness inherent in indigenous traditional knowledge against misappropriation and misuse, and it addresses both defensive and positive forms of protection, including proprietary and non-proprietary approaches.

25. In the health area, the Pan-American Health Organization (PAHO) provided information on the challenge of developing and implementing intercultural primary health-care programmes for indigenous communities in the Americas. PAHO

programmes incorporate indigenous perspectives, medicines and therapies into national health systems in a holistic way and at a policy level, as stated in resolutions CD37.R5 (1993) and CD40.R6 (1997) signed by the 34 PAHO member States. Legal harmonization, licensing and accreditation of traditional medicine, collective rights and capacity-building among communities are particularly needed.

26. The regional office for Latin America of the United Nations Environment Programme (UNEP) discussed various UNEP instruments that refer to indigenous peoples, such as chapter 26 of Agenda 21, which calls for strengthening the involvement of indigenous peoples in environmental matters. The links between the environment, cultural and biological diversity and sustainable development have been identified by UNEP, which promotes an integrated ecosystem approach. The promotion and revitalization of indigenous traditional knowledge of natural resources are necessary for the conservation of biodiversity. Indigenous traditional knowledge is an essential part of indigenous health systems. The Women as the Voice for the Environment initiative was launched during the first Global Women's Assembly on the Environment in 2004. Indigenous women from all regions participate in this initiative. UNEP is currently improving the participation of indigenous peoples in its activities and meetings such as the Governing Council. A database and website with all UNEP's activities and programmes related to indigenous peoples are being developed.

27. A regional programme in support of indigenous peoples of the Amazon, funded by IFAD and the Andean Development Confederation, was presented. One of the main objectives of the programme is to contribute to the strengthening of the capacities of indigenous peoples. The overall aim of IFAD's work on indigenous traditional knowledge, including culture, is to unleash its great potential for the development of indigenous communities. The representative also provided information on the "Premio Anaconda", which screens and awards the best indigenous video in Latin America and the Caribbean depicting the values and cultures of indigenous peoples. IFAD also assists communities in: (a) documenting, enhancing and protecting their indigenous traditional knowledge; (b) revitalizing indigenous traditional knowledge systems and, where needed, blending them with modern technologies; and (c) strengthening traditional knowledge for enhancing the livelihoods of indigenous peoples. In this regard, IFAD plans to mainstream indigenous traditional knowledge issues within the work of the Consultative Group on International Agricultural Research system.

28. Information was also made available on the work of the United Nations Conference on Trade and Development (UNCTAD) in strengthening the capacity of Governments to harness indigenous traditional knowledge for economic development and trade purposes.

29. Finally, information was provided on the work of the Working Group of Indigenous Populations on revising guidelines on the protection of the cultural heritage of indigenous populations. It was stressed that this project aims, within a standard-setting context, at outlining in detail how general human rights standards pertain to elements of the cultural heritage of indigenous peoples.

**Synthesis of trends and general themes**

30. A vibrant and interactive discussion took place between all the participants on the work on indigenous traditional knowledge issues being undertaken by the United

Nations system and other intergovernmental organizations and agencies in relation to the actual experiences and needs of indigenous communities. The participants were able to identify some emerging themes and trends and to distil a few general observations and conclusions from the discussion.

31. It became clear that indigenous traditional knowledge raises a range of policy, procedural, conceptual, political and practical challenges in a wide variety of areas, such as the conservation of biological diversity, intellectual property, trade negotiations, agricultural policies, education, the environment, science, climate change, sustainable development, private sector activities, health, cultural policies, gender issues and human rights. These challenges lie before Governments, the United Nations system and other intergovernmental organizations, and indigenous peoples themselves. Furthermore, indigenous communities from around the world share similar perceptions about the nature of these challenges. They have also diverse priorities and strategies and responses as to how to address them.

32. Most importantly, the indigenous participants stressed that the adequate protection of indigenous traditional knowledge demands, first and foremost, respect for the rights of indigenous peoples, in particular their human rights, including indigenous rights to territories and resources, collective rights, the application of the principle of non-discrimination, the avoidance of negative cultural policies and racism, the promotion of peace and justice and the right to self-determination, encompassing customary legal systems and the principle of free, prior and informed consent. They suggested further that the situation of indigenous peoples is prejudiced by strong enforcement mechanisms in trade-related agreements, such as the World Trade Organization (WTO) agreements and free-trade agreements, whereas human rights standards and indigenous customary laws remain largely unimplemented. Consequently, the United Nations system and other intergovernmental organizations with a mandate to address human rights, such as OHCHR, the International Labour Organization (ILO) and, not least, the Permanent Forum itself, should be more active in work towards achieving a more adequate protection for indigenous peoples' cultural heritage. The indigenous participants believed that this would require a fundamental shift in how the United Nations system and intergovernmental organizations address indigenous traditional knowledge issues. Respect for the rights of indigenous peoples, in particular their human rights, are at the heart of their concerns about the preservation, promotion and protection of indigenous traditional knowledge. There was a sense that intellectual property issues, while relevant, constitute only a limited part of the debate on indigenous traditional knowledge issues and have been consuming a disproportionate amount of attention to the detriment to other issues, which is, however, understandable, given the concerns of many communities with the misappropriation and misuse of indigenous traditional knowledge.

33. In considering such a multi-faceted and complex issue as indigenous traditional knowledge, it was felt that indigenous communities needed to strategically identify and prioritize their actual needs and objectives and to seek to advance their identified interests using all available tools at their disposal, including through advocacy for new and improved mechanisms to enhance their interests and fully implement their rights, where necessary. In this regard, indigenous peoples should also take effective advantage of opportunities to participate in and influence the work of the United Nations system, where this is relevant to meeting their needs.

In regard to participatory processes, United Nations agencies have to develop appropriate modalities in consultation with indigenous peoples.

34. Although many intergovernmental organizations and agencies are conducting valuable normative and capacity-building activities, there are practical difficulties inherent in the nature of the United Nations system, specifically that each organization is compelled to work within its own mandated area, which may lead to undesirable compartmentalization and often reductionist approaches, and that Member States, many of which have not yet developed coherent national policies on indigenous traditional knowledge, are the decision-makers. A further problem is how to give due attention to the situations faced by the indigenous communities in developed countries. Beyond these structural questions, however, United Nations agencies could and should do more to promote the full and effective participation of indigenous peoples and integrate indigenous perspectives in their work programmes, in particular to better reflect a human rights approach and to find creative ways of collaborating with each other in real and effective ways. Several practical suggestions to improve collaboration between the United Nations and other intergovernmental organizations were discussed.

35. With indigenous traditional knowledge issues arising in a multiplicity of forums and policy areas, there was a widely held view that agencies need to be more accessible to indigenous peoples and to provide them with more information about what they are doing, as well as with information on relevant guidelines, treaties and other resources. These should be made available at least in the six official languages of the United Nations. A lack of adequate indigenous involvement in many United Nations processes led to concerns among the indigenous experts that some processes had produced or could produce new standards too speedily or that new standards could undermine indigenous interests and gains made elsewhere. The Permanent Forum itself has a key role, inter alia, in coordinating indigenous issues within the United Nations system and in transmitting indigenous perspectives and contributing its own research, expert advice and substantive comments to the rest of the United Nations system and other intergovernmental organizations.

36. Concerns with the effectiveness and relevance of some of the work of the United Nations system also imply that more effort should be made to ensure that the concerns of indigenous peoples are directly addressed to national Governments and for Governments to prioritize the development of national indigenous traditional knowledge policies.

37. A further theme that emerged from the presentations by the indigenous experts was the value and practical relevance of local projects and activities initiated by indigenous communities themselves. Indigenous traditional knowledge systems are inherently local in character, and thus local initiatives are often the most appropriate. This led to a perception among many of the indigenous experts present that the programmes and activities of United Nations organizations are of benefit only if and to the extent that they respond to the practical needs of communities as determined by the communities themselves and that they complement programmes and projects initiated by the communities at the local level.

38. Finally, while there are gaps in existing laws and in the current programmes of the United Nations system and other intergovernmental organizations, there are already a wide range of conventions, treaties and other instruments that could be useful but have not been ratified and/or implemented by Governments. Particular

reference in this connection was made by the indigenous experts to ILO Convention No. 169, the Convention on Biological Diversity, to the extent it meets the needs of indigenous peoples, the International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights of 1966 and other human rights conventions. References to the protection of collective rights in the constitutions of certain countries also have to be acted upon by those countries. The indigenous participants stressed the need for the urgent adoption of the draft Declaration on the Rights of Indigenous Peoples. In respect of gaps identified in existing laws, efforts should continue to develop laws specifically adapted and tailored to meet the concerns and interests of indigenous peoples, as expressed by them.

# IV. Recommendations

## A. Recommendations adopted at the workshop

39. Relevant international human rights treaty bodies should strengthen the monitoring of the implementation by States parties of provisions relevant to indigenous traditional knowledge.

40. The Permanent Forum on Indigenous Issues should provide human rights-related information and advice to intergovernmental organizations with respect to traditional knowledge in order to promote the development by these organizations of a better understanding for human rights related to indigenous traditional knowledge.

41. The Permanent Forum should commission a study or studies on customary laws pertaining to indigenous traditional knowledge in order to investigate to what extent such customary laws should be reflected in international and national standards addressing indigenous traditional knowledge. The study should include an analysis of indigenous customary laws as a potential sui generis system for protecting indigenous traditional knowledge. Relevant organizations of the system should collaborate to promote respect for and recognition of the customary legal systems of indigenous populations pertaining to indigenous traditional knowledge in national legislation and policies as well as with regard to their application.

42. The Forum should encourage more States to attend its future sessions and share information on developments in the field of national indigenous traditional knowledge.

43. The Forum should encourage Governments to develop and adopt national policies and laws on indigenous traditional knowledge that reflect a commitment to its protection, promotion and preservation. Such national policies and laws should be developed with the full participation of indigenous peoples.

44. The Forum should appeal for increased resources to enhance the activities and programmes of relevant international agencies related to indigenous traditional knowledge and for inter-agency cooperation on indigenous traditional knowledge, including the development of joint indigenous traditional knowledge projects, especially local or community projects.

45. The Forum should continue to provide substantive and expert information and advice to specific agency activities related to indigenous traditional knowledge. The Forum should also, as far as possible, address national Governments directly.

46. The Forum should encourage further elaboration of the concept of "collective biocultural heritage" as a framework for standard-setting activities on indigenous traditional knowledge.

47. The Forum should prepare recommendations to the United Nations system, other intergovernmental organizations and Governments to address the loss of indigenous traditional knowledge linked to the environmental destruction of indigenous peoples' territories, the loss of indigenous cultural diversity, the loss of biodiversity and the loss of languages.

48. The Forum should promote and support indigenous regional networks working on specific issues as a way of increasing the awareness and involvement of indigenous peoples in United Nations activities and should encourage donors to provide funding for regional activities.

49. The Forum should raise awareness of the valuable contribution that indigenous universities and other tertiary education institutions can make to improving ethical standards for research on and development of curricula about indigenous traditional knowledge.

50. Universities and the academic community should support indigenous research and the promotion of indigenous traditional knowledge.

51. Encourage the Global Environment Facility, other intergovernmental bodies and bilateral and multilateral financial institutions to develop and support programmes, projects and policies related to the promotion and protection of indigenous traditional knowledge.

52. United Nations agencies should work collaboratively with indigenous peoples to develop policy guidelines for reinforcing incorporation of indigenous traditional knowledge, including traditional modes of transmission and upbringing processes, into formal education systems, starting with the identification of specific traditional methods, tools and best practices.

53. If so requested by the indigenous communities, United Nations agencies and intergovernmental organizations should provide direct support and assistance to them for their indigenous traditional knowledge-related programmes, including for the recording and appropriate protection of indigenous traditional knowledge, taking into account their intellectual property-related interests in order to prevent misappropriation of the knowledge.

54. United Nations agencies and intergovernmental organizations should provide further support for incorporation of indigenous traditional knowledge into curriculum development.

55. With the technical assistance of the Forum's secretariat, the Inter-Agency Support Group on Indigenous Issues should develop a matrix that is updated on a periodic basis and identifies the approaches, scopes, mandates and types of indigenous traditional knowledge activities of United Nations agencies, funds and programmes and their use of relevant terms and their meanings, with the aim of:

(a) Dissemination of this information among indigenous peoples by the Forum;

(b) Promoting awareness of the work in the field of traditional knowledge being conducted by United Nations agencies;

(c) Enabling the Forum to develop strategies to fill gaps in indigenous traditional knowledge policies.

56. With a view to promoting coherence of policies on indigenous traditional knowledge at global and local levels, agencies and intergovernmental organizations should have specific outreach programmes for indigenous peoples, ensure their meaningful participation in all stages of their programmes and use indigenous experts as speakers, researchers and authors, whenever possible.

57. The United Nations system, other intergovernmental organizations and Governments should recognize the important role of indigenous women in transmitting, protecting, preserving, developing and promoting indigenous traditional knowledge to the younger generation by ensuring that indigenous women are actively and equitably involved in indigenous traditional knowledge programmes, policies and standard-setting at local, national, regional and international levels.

58. The United Nations system and other intergovernmental organizations should promote, in collaboration with indigenous peoples, the appropriate use of indigenous traditional knowledge in natural resource management and sustainable development, including in the domains of environmental impact assessment, climate change, protection and promotion of biodiversity, natural disaster preparedness and sustainable development. To this end, the United Nations system and Governments should further develop equitable partnerships among and with indigenous traditional knowledge holders, scientists, resource managers and decision-makers.

59. Indigenous peoples should be provided with the means to participate effectively in agency activities in accordance with the priorities, strategies and goals, as determined by the indigenous peoples themselves.

60. United Nations agencies dealing with the subject of indigenous traditional knowledge should increase their level of coordination with a view to developing common principles, concepts, policies and programmes on indigenous traditional knowledge, in accordance with their respective mandates.

## B. Recommendations adopted by indigenous experts at the workshop addressed to the United Nations system and other intergovernmental organizations working in the field of indigenous traditional knowledge

61. The Forum should participate actively in future discussions, assessments and collaborative efforts within the United Nations system, including the Food and Agriculture Organization of the United Nations (FAO) and the secretariat of the Convention on Biological Diversity, to identify specific priorities, criteria and methodologies that can be used as indicators for the promotion and protection of indigenous traditional knowledge to inform future technical programmes and policy initiatives within FAO, the secretariat of the Convention on Biological Diversity and other bodies.

62. The Forum should further encourage the implementation of article 8 (j) of the Convention on Biological Diversity as a cross-cutting issue throughout all

programmes being carried out by the secretariat of the Convention on Biological Diversity in this area.

63. Governments should ratify and implement existing conventions, such as ILO Convention No. 169 concerning indigenous and tribal peoples in independent countries, if they have not already done so. United Nations human rights bodies should strengthen monitoring compliance with these instruments.

64. Encourage the efforts of the secretariat of the Convention on Biological Diversity and FAO to establish an open-ended working group so that indigenous peoples can become directly involved in the development and implementation of policies that affect food security and food sovereignty of indigenous peoples, including agricultural diversity in indigenous communities.

65. Encourage the Global Environment Facility to provide funding to effectively develop policies, programmes and projects of indigenous peoples that assist in the implementation of the Convention on Biological Diversity, in particular article 8 (j) for the promotion and protection of indigenous traditional knowledge.

66. IFAD, FAO and the World Food Programme (WFP) should continue the work undertaken on livelihood in documenting and protecting traditional ecological knowledge, especially as means for preparing resources management plans, taking into account the intellectual property implications of documenting and publishing such knowledge.

67. Building on its earlier fact-finding missions and consultations with indigenous peoples, WIPO should be encouraged to return to those communities and to provide information to and consult with them on its work, including, in particular, on the draft provisions for the protection of indigenous traditional knowledge and cultural expressions against misappropriation and misuse being discussed within the WIPO Intergovernmental Committee.

68. In the work of WIPO, particular focus should be given to defensive protection of indigenous traditional knowledge aimed at preventing unauthorized obtention of intellectual property rights over its use. In addition, WIPO should continue to work on enhanced positive protection mechanisms for those indigenous communities that may wish to utilize intellectual property or similar tools to protect elements of their cultural heritage against misappropriation and misuse by others.

69. The secretariat of the Convention on Biological Diversity is encouraged to continue to facilitate meaningful participation of indigenous peoples in its work on traditional knowledge, including enabling them to comment on elements of an ethical code for research before the code is presented for adoption.

70. Agencies, especially UNESCO and UNICEF, and Governments should cooperate to promote the intergenerational transmission of indigenous traditional knowledge and traditional knowledge-based education. They should also produce traditional knowledge-centred curricula for integrating traditional knowledge in mainstream education.

71. The secretariat of the Convention on Biological Diversity should take enhanced steps to promote the implementation of the Akwe: Kon Guidelines concerning sacred sites, lands and waters among States parties.

72. Encourage FAO and the secretariat of the Convention on Biological Diversity to collaborate and establish a joint mechanism so that indigenous peoples can

provide direct input into the development of policies and programmes helpful for indigenous traditional knowledge, agricultural diversity, food security and food sovereignty of indigenous peoples.

73. Encourage WHO, with the active involvement of all regional offices, to establish a systematic process to include traditional knowledge in the national health systems, with a view to incorporating traditional knowledge in the long-term objective of improving the health of indigenous peoples.

74. The Working Group on Indigenous Populations should be encouraged to continue and complete its work in adopting guidelines on the protection of the cultural heritage of indigenous peoples and further encourage Governments to implement these guidelines once they are adopted.

*Notes*

[1] *Official Records of the Economic and Social Council, 2005, Supplement No. 23* and corrigendum (E/2005/43 and Corr.2), chap. I.B, para. 140.

[2] This section summarizes the various presentations made, which were limited to 10 minutes each. Many of the indigenous experts also made more detailed written papers available (see section I.B on documentation above).

# Annex I

## Agenda and programme of work

**21 September p.m.**

- Welcome and introduction of participants
- Introduction to the objectives and programme of the workshop
- Election of Chair and Rapporteur of the workshop

Session I: indigenous perspectives on traditional knowledge based on local and community-based experiences, as well as perspectives on policies, planning, processes and programmes at local, national and international levels.

**22 September a.m.**

Session II: overview of current policies, methodologies, programmes and activities relating to traditional knowledge and indigenous peoples by United Nations organizations and agencies: a matrix for a coherent and coordinated framework on traditional knowledge.

**22 September p.m.**

Session III: how to integrate indigenous perspectives into the work of the United Nations on traditional knowledge: experiences/gaps and challenges/future steps.

Discussion and questions for consideration:

- What are the gaps identified in the current work of the United Nations on traditional knowledge and how should they be addressed?
- What can the Permanent Forum and United Nations agencies and organizations do to strengthen complementarity and coordination among themselves in their current work on traditional knowledge?
- What specific recommendations can the Forum make to Governments to engage indigenous peoples in intergovernmental negotiations on traditional knowledge issues?
- What recommendations can the Forum make to indigenous peoples to encourage and strengthen their active participation in the activities and programmes of United Nations organizations and agencies?
- How could the Forum's collective expertise and experience be better channelled and integrated into the work programmes of United Nations agencies and organizations?
- Should there be an inter-agency framework for the coordination on cross-cutting issues such as traditional knowledge? Should there be an ad hoc network within the current framework of the Inter-Agency Support Group?
- What are the working methodologies which the Forum can develop with a view to assisting the coordination between agencies and promoting the integration of indigenous perspectives in their work?

**23 September**

- Discussion on the draft conclusions/recommendations
- Adoption of the conclusions/recommendations
- Presentation of draft report by the Rapporteur and adoption of report
- Closing by the Chair, local indigenous representative and representative of the United Nations Children's Fund (UNICEF) as host and on behalf of the Inter-Agency Support Group

# Annex II

## Documentation

### List of documents

| | |
|---|---|
| Background note (Permanent Forum secretariat) | PFII/2005/WS.TK |
| Convention on Biological Diversity and Traditional Knowledge (Secretariat of the Convention on Biological Diversity) | PFII/2005/WS.TK/1 |
| Indigenous knowledge systems and intellectual property rights: an enabling tool for development with identity (Vel. J. Suminguit for the International Fund for Agricultural Development) | PFII/2005/WS.TK/2 |
| Regional health programme of the indigenous peoples of the Americas (Pan-American Health Organization) | PFII/2005/WS.TK/3 |
| Some aspects on integrating indigenous perspectives into works on traditional knowledge (Eduardo Aguiar de Almeida, Permanent Forum) | PFII/2005/WS.TK/4 |
| Biodiversity, traditional knowledge and rights of indigenous peoples (Victoria Tauli-Corpuz, Permanent Forum) | PFII/2005/WS.TK/5 |
| For the recovery and protection of traditional indigenous knowledge (Atencio López) (English and Spanish) | PFII/2005/WS.TK/6 |
| Report on traditional knowledge for the meeting in Panama (Haman Hajara) | PFII/2005/WS.TK/7 |
| Indigenous peoples of Nepal and traditional knowledge (Ngwang Sonam Sherpa) | PFII/2005/WS.TK/8 |
| Traditional indigenous knowledge: local view (Erjen Khamaganova) | PFII/2005/WS.TK/9 |
| Local and indigenous knowledge of the natural world: an overview of programmes and projects (United Nations Educational, Scientific and Cultural Organization) | PFII/2005/WS.TK/10 |
| Food sovereignty and traditional knowledge (Estebancio Castro Diaz) | PFII/2005/WS.TK/11 |
| Indigenous traditional knowledge in the context of the United Nations Convention on Climate Change (Secretariat of Convention) | PFII/2005/WS.TK/12 |
| Information note (World Intellectual Property Organization) | PFII/2005/WS.TK/13 |

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|---|---|
| Emerging issues in Maori traditional knowledge: can these be addressed by United Nations agencies? (Aroha Te Pareake Mead) | PFII/2005/WS.TK/14 |
| Brian MacDonald | PFII/2005/WS.TK/15 |
| Mattias Ahren | PFII/2005/WS.TK/16 |
| The United Nations Environment Programme and traditional knowledge (United Nations Environment Programme) | PFII/2005/WS.TK/17 |

# Annex III

## Attendance

Mr. Eduardo Aguiar de Almeida, member, Permanent Forum on Indigenous Issues

Mr. Mattias Ahren, the Saami Council

Mr. Miguel Alfonso Martinez, Chairperson-Rapporteur of the United Nations Working Group on Indigenous Populations

Ms. Vanda Altarelli, International Fund for Agricultural Development

Mr. Marcial Arias, Fundación para la Promoción de Conocimientos Indígenas

Mr. Julio Calderon, United Nations Environment Programme, regional office for Latin America

Ms. Esther Camac, Asociación IXACAVAR de Desarrollo e Información Indígena

Ms. Anna Lucia D'Emilio, United Nations Children's Fund/Bolivarian Republic of Venezuela

Ms. Haman Hajara, African Indigenous Women Organization

Ms. Erjen Khamaganova, Buryat Baikal Centre for Indigenous Cultures

Ms. Hui Lu, secretariat of the Permanent Forum on Indigenous Issues

Mr. Brian MacDonald, indigenous expert

Ms. Aroha Te Pareake Mead, Victoria University of Wellington, New Zealand

Mr. Atencio López, Asociación Napguana

Mr. Ngwang Sonam Sherpa, Nepal Indigenous Nationalities Preservation Association

Mr. Vellorimo J. Suminguit, Project leader, the ethnobotanical documentation supported by the International Fund for Agricultural Development and the World Agroforestry Centre

Mr. Douglas Nakashima, United Nations Educational, Scientific and Cultural Organization

Mr. Sushil Raj, secretariat of the Permanent Forum on Indigenous Issues

Mr. Rama Rao Sankurathripati, secretariat, World Intellectual Property Organization

Ms. Lily Rodriguez, United Nations Development Fund for Women, Ecuador

Dr. Rocio Rojas, World Health Organization/Pan-American Health Organization

Mr. Juan Carlos Schultze, Regional Programme in Support of Indigenous Peoples, International Fund for Agricultural Development/Regional Programme in Support of Indigenous Peoples in the Amazon Basin

Mr. Jacob Simet, indigenous expert

Mr. John Scott, secretariat of the Convention on Biological Diversity

Ms. Elsa Stamatopoulou, secretariat of the Permanent Forum on Indigenous Issues

Ms. Victoria Tauli-Corpuz, Chairperson, Permanent Forum on Indigenous Issues

Mr. Aresio Valiente, Center for Popular Legal Assistance

Mr. Wend Wendland, secretariat, World Intellectual Property Organization

Dr. Guadalupe Verdjo, World Health Organization/Pan-American Health Organization